

Weil, Gotshal & Manges LLP

VIA ECF

767 Fifth Avenue
New York, NY 10153-0119
+1 212 310 8000 tel
+1 212 310 8007 fax

Jessica L. Falk
+1 (212) 310-8511
jessica.falk@weil.com

August 13, 2019

Hon. Kenneth M. Karas
United States District Court, S.D.N.Y.
300 Quarropas Street
White Plains, New York 10601

Re: *Nuance Communications, Inc. v. International Business Machines Corp.*, Case No. 16-cv-05173-KMK-JCM (S.D.N.Y.)

Dear Judge Karas:

We represent Plaintiff Nuance Communications, Inc. (“Nuance”) in the above-captioned action and write on behalf of the Parties. Pursuant to Your Honor’s July 9, 2019 order (Dkt. No. 152), the Parties will file their Joint Pre-Trial Order on August 14, 2019.

The Parties anticipate that materials provided in connection with the Joint Pre-Trial Order will have or contain material marked “HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS’ EYES ONLY” pursuant to the Protective Order in this action (Dkt. No. 22). In order to comply with Section 7.3 of the Protective Order, the Parties respectfully request the Court’s permission to file a redacted version of the Joint Pre-Trial Order on the public docket and to submit the unredacted Joint Pre-Trial Order as well as written direct testimonies and deposition designations via email to Chambers. The Parties will also deliver courtesy copies to Chambers on Thursday, August 15th. In addition, the Parties respectfully request that the written direct testimonies and deposition designations not be filed on the public docket until entered into evidence at trial.

With respect to the Parties’ respective findings of fact, conclusions of law, and any pre-trial briefs, the Parties request permission to provide copies of these documents to the Court via email on August 14th, with courtesy copies to follow on August 15th. The Parties respectfully request until August 22nd to file copies on the public docket, so as to permit the Parties an opportunity to confer regarding any confidentiality redactions.

The Parties are available if the Court has any questions.

Respectfully submitted,

/s/ Jessica L. Falk

cc: Counsel of Record